



Annual report

2019

National Committee
Code of Conduct
Higher Education

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Introduction

The National Committee (Committee) was established by the higher education sector, as represented by its umbrella organizations (the Dutch Council for Training and Education (NRTO), the Association of Universities of Applied Sciences and the Association of Universities in the Netherlands (VSNU)), in order to monitor compliance with the terms of the Code of Conduct for Higher Education by educational institutions that are included in the register for the Code of Conduct for Higher Education. By signing the Code of Conduct the institutions have committed themselves to guide international students with care during their studies. And to provide higher educational programs that fulfil the quality criteria, about which the institution provides clear information. The Committee monitors the conduct of educational institution by means of activities such as handling official complaints and conducting research. The latter may occur on the basis of reports received, but also at the initiative of the Committee itself.

In this annual report, the Committee provides an overview of the activities that it undertook in the year 2019, developments regarding the Code of Conduct and the register for which the Executive Ministry of Education (DUO) is responsible. In the last section, the Committee presents its plans and expectations for 2020.



Register for the Code of Conduct

All institutions that have signed the Code of Conduct for Higher Education are added to a register that is published on the Code of Conduct website, see: www.internationalstudy.nl. DUO is designated as the administrator of this register in the Code of Conduct and it handles requests for inclusion and amendments. In addition, DUO implements changes to the register on behalf of the National Committee. This can involve deletions from the register or the addition of a red flag alongside an institution to indicate a sanction.

Last year, DUO received requests for inclusion in the Code of Conduct register from the Global School for Entrepreneurship and the Netherlands Business Academy. The requests were granted with respect to both these institutions. On 31 December 2019, the register included 77 institutions.



National Committee

The Committee's primary duties include handling official complaints and conducting research. In carrying out these tasks, the Committee promotes compliance with the Code of Conduct and also aims to promote the quality and completeness of the information provided to (prospective) international students. Last year, the Committee handled three official complaints and published a report on its research into the provision of information and the use of social media. In addition, last year the Committee launched a research project into the preparatory year which it expects to be able to publish in the first quarter of 2020.

The Committee published two newsletters last year focusing on various developments and policy documents regarding internationalization in higher education.

Official complaints

Below a summary of the Committee's decisions will be given on the 1 complaints that were considered in 2019. The full decisions are available on the Code of Conduct [website](#).

Decision on student at Tilburg University

In early 2019, the Committee received an official complaint from a student at Tilburg University. The student's complaint was submitted in response to a decision made by the Examination Board, in which she was refused an additional opportunity to take an examination, and to the way in which she had been treated and supervised by Tilburg University more generally during her studies. The Committee found that the complaint was not admissible on the grounds that the majority of the conduct referenced had taken place more than one year previously, during the 2016-2017 academic year. In addition, the Committee is only authorised to rule on matters that are referred to in the Code of Conduct. That was not the case with respect to this complaint. The complaint focused specifically on the granting of additional opportunities to take examinations and the cost of tuition fees for international students.

The Committee chose to adopt a mediating role in an attempt to facilitate an agreement between the student and Tilburg University. International students are in a vulnerable position and therefore require extra supervision during their studies; and all the more so if they experience difficulties obtaining their degree certificate or diploma. In February in 2019, the Committee held a meeting with a delegation from Tilburg University in which it expressed its concerns and the applicant's case was discussed. The documentation provided by the student showed that she had been in the process of completing her studies. She had already completed her thesis, and all that remained was for her to retake one examination, but she was informed that she would have to wait for more than a year before she could do this. There were no provisions in the Academic and Examination Regulations (hereafter OER) regarding the situation in which she found herself. From the meeting with Tilburg University, it became clear that the Examination Board had acted in accordance with the OER, but that the correct application of the OER can sometimes lead to unforeseen and undesirable outcomes. That had been the case with respect to this student. In accordance with the Committee's request, the chairperson of the Executive Board made an offer to the student that enabled her to complete her studies. In addition, the University has promised to review the relevant OER in order to prevent similar situations from arising again in the future.

Decision on Zuyd University of Applied Sciences

In mid-2019, the Committee received an official complaint from an international student from Canada regarding Zuyd University of Applied Sciences (hereinafter referred to as Zuyd). The request concerned the incomplete and incorrect provision of information about the accelerated programme in Interdisciplinary Arts (hereinafter iArts). In addition, the student was of the opinion that teachers' English was inadequate and that students were offered fewer contact hours than stated in the OER and the timetable.

In the Committee's assessment of this complaint, one important consideration was that Zuyd had already acknowledged some of these complaints and had taken appropriate measures. The Committee took this into account in its decision.

The Committee ruled that the request was admissible with respect to the information included in the 2017-2018, 2018-2019 and 2019-2020 OER. The OER for these academic years includes incorrect information regarding study load and contact hours. The number of hours stated does not correspond with the number of hours that is offered in practice. In addition, it is unclear whether the numbers referred to contact hours, as stated in the OER, or simply study load hours. The Committee rejected the other aspects of the request as unsubstantiated because the educational institution had already acknowledged these points and had taken appropriate steps to remedy them. As far as the teachers' proficiency in English was concerned, the Committee found that Zuyd has an appropriate policy in place with respect to assuring and promoting the English language skills of its teaching staff.

The Committee asked Zuyd to correct the information provided in the OER regarding the number of study load hours/contact hours before the subsequent academic year and to ensure transparency regarding the calculation of the number of credits available for a course. In doing so, the Committee emphasized that changes to the curriculum should be the exception to the rule and should only be made where necessary. International students, like all students, must be able to form an accurate picture of a study programme before they register for that programme and come to the Netherlands.

Decision on DBA Student – MSM ruling

In November 2019, the Committee received an official complaint from a student studying for a DBA at Maastricht School of Management (hereinafter: MSM). The complaint concerned the unexpected termination of his education by MSM following a negative evaluation of his dissertation. After successfully completing the first year of the study programme (MPhil), the DBA student had spent three years working on his dissertation, beginning in 2014. He had been receiving supervision from an MSM professor, who had evaluated his dissertation positively. The DBA student was therefore surprised to discover that the second and third assessors had assessed his dissertation negatively, and that he had been de-enrolled from the programme. The Board of MSM was of the opinion that the applicant could not complete the programme successfully.

The Committee ruled that the complaint was inadmissible because the DBA student was not an international student within the definition of the Code of Conduct. He was not in possession of a regular Dutch residence permit of limited duration for the purposes of studying in the Netherlands. In addition, the Code of Conduct does not apply to scientific research, including DBA programmes.

Furthermore, MSM's website states that no admissions are currently being accepted for the DBA programme. MSM is in talks with Maastricht University regarding the possibility of offering a joint programme.

Research

Research report: periodic survey of the provision of information and the use of social media

Every year, the Committee carries out a survey into the provision of information on websites of six selected educational institutions: two institutions that are members of the VSNU (Association of Universities in the Netherlands), two institutions that are members of the Vereniging Hogescholen (Association of Universities of Applied Sciences), an institution that is a member of the NRTO (Dutch Council for Training and Education) and an institution that is not represented by any umbrella organization. In 2019, the institutions investigated were the University of Amsterdam, TU Delft, HU University of Applied Sciences Utrecht, Fontys University of Applied Sciences, EuroCollege Rotterdam and the Theological University of Kampen. The research focused on the information provided on the range of study programmes and the accreditation of teaching, the premises, the name of the institute, internal complaints procedures, and the complaints procedure for international students included in the Code of Conduct. This year, the committee focused particularly on information provided by e-mail and on Facebook.

Use of social media

Based on an exploratory study into the use of social media by educational institutions undertaken in 2018, the Committee found that the channel by which students contact an educational institution is determined by their aims. Social media channels such as Facebook, WhatsApp, and YouTube are used to provide information and to create a feeling of community. They are also used to inform and inspire prospective and existing international students. If a student has questions regarding more substantive matters, he or she is referred to information on the website or to the relevant employees at the institute.

The website remains the most important channel for providing (substantive) information. Facebook and e-mail are mainly used by students to ask specific questions. For this reason, the Committee itself used e-mail and Facebook to ask questions to the institutes listed above, in addition to its annual check on their websites. The questions were asked using the profile of a fictional international student. The committee noted response times and the accuracy of the answers given. In cases where an institute referred the student elsewhere, the committee also looked at whether this was done accurately by looking at the relevant web page or brochure.

Some findings

Results of e-mail/Facebook research

The committee used e-mail and Facebook to ask four questions to the selected education institutes. The speed with which the committee's questions were answered was particularly noteworthy. The e-mails were often replied to on the same day, or if not, the next day. In a previous survey, the committee noted that the speed with which e-mails were answered can be a crucial factor in determining a person's choice for one institute of education over another. From the various responses received, it appears that the use of standardized messages is commonplace. In some cases, this means that too much irrelevant information is provided while the question itself goes unanswered, or, if the question includes multiple aspects, the question is only partly answered. The latter is especially true with questions that require an individualized response. In the survey, this was the case with a question about English-language skills. The use of standardized answers is understandable, but it is important to check that questions received are actually answered. The standardized texts should also be regularly reviewed in order to verify the accuracy of their content.

Results of survey of websites

For this research, too, the standards that the Committee has established were used to assess the provision of information by means of the relevant websites. The Committee noted that the websites in question provided clear, simple and accessible information about the range of study programmes on offer. However, accreditation information was not always clear and, in some cases, was lacking altogether. In addition, it was not always clear to international students what accreditation actually means. This is further complicated by the fact that institutes use different names for the same study programme. As a result, it is not easy for students to check whether a programme features in the NVAO's (Accreditation Organisation of the Netherlands and Flanders) databases, for example, or what type of information about the programme is available in Studyfinder. The Committee also looked at whether the institutes inform students about accommodation options and costs. Generally, this information was provided, but the Committee sees a potential risk for students who are unable to understand the information presented fully or who have been unable to find accommodation in time. Currently, there is no safety net. The Committee emphasizes that the duty of care with respect to accommodation extends beyond merely providing information. The Committee therefore calls for more efforts to be made in order to make students aware of the need to look for accommodation early, and of the fact that there is a shortage of accommodation in some parts of the Netherlands.

Newsletters

The Committee has sent out two digital newsletters in the past year, in which it writes about its work and informs readers about developments that are relevant to the Code of Conduct and international students. This information can also be accessed on the [website](#). A total of 272 people have now subscribed to the newsletter.

The newsletter is published twice a year. If you wish to receive the newsletter automatically, you can subscribe by sending a message to: info@internationalstudy.nl.

Composition

The Committee consists of five members and an independent chairperson. The members are appointed by the umbrella organizations. The chairperson is nominated by the members. The Code of Conduct Regulations stipulate a maximum of two four-year terms may be served. The daily office of the Commission consists of a secretary and researcher.

Karen Ali and Jan-Albert Dop left the Committee in June. Frans Snijders and Jan van der Heijden have now moved from deputy members to full members. For other changes, see the table below.

The Committee would like to express its gratitude for the work and dedication of Karen Ali and Jan-Albert Dop in their application of the Code of Conduct and their contribution to the activities of the Committee.

Composition of the National Committee and office as of 31 December 2019

POSITION	NAME	BACKGROUND	UMBRELLA ORGANIZATION
Chairperson	Joris van Bergen	Former member of the Executive Board of TU Eindhoven and Leiden University, former chair of SURF	-
Acting Chairperson	Paul Rullmann	Former member of the Executive Board of TU Delft, chair of the Committee for Effective Higher Education (CDHO)	VSNU
member	Karen Ali	Director of Fundraising Development, Eindhoven University of Technology	VSNU ¹
member	Frans Snijders	Director of International Office, VU Amsterdam	VSNU ²
member	Susana Menéndez	Former member of the Executive Board of The Hague University of Applied Sciences	Association of Universities of Applied Sciences
member	Rob Verhofstad	Member of the Executive Board, Hanze University of Applied Sciences Groningen	Association of Universities of Applied Sciences
member	Jan-Albert Dop	Former member of the Executive Board of Webster University Leiden	NRTO ³
member	Jan van der Heijden	Adviser at Hogeschool Dirksen	NRTO ⁴
dpt. member	Frans Snijders	Director of International Office, VU Amsterdam	VSNU ⁵
dpt. member	Tom van Veen	Professor of Maastricht University	VSNU
Dpt. member	Guido van Leerzem	Policy adviser on internationalization, Tilburg University	VSNU ⁶
dpt. member	Joep Houterman	Member of the Executive Board, Fontys University of Applied Sciences	Association of Universities of Applied Sciences ⁷
dpt. member	Janco Bonnink	Director of International Office, Saxion University of Applied Sciences	Association of Universities of Applied Sciences
dpt. member	Erik van den Berg	Team Leader for Education, senior policy advisor on internationalization, University of Applied Sciences Amsterdam	Association of Universities of Applied Sciences ⁸
dpt. member	Jan van der Heijden	Adviser at Hogeschool Dirksen	NRTO ⁹
<i>dpt. member</i>	<i>vacant</i>	-	<i>NRTO</i>
Secretary/ policy advisor	Jolanda van den Bosch	Executive Ministry of Education	-
Researcher/ policy advisor	Arno Overmars	Executive Ministry of Education	-
Junior researcher	Jasna Mujakovic	Executive Ministry of Education	-

¹ Left this position on 1 July 2019.

² Appointed on 1 September 2019.

³ Left this position on 1 July 2019.

⁴ Appointed on 1 September 2019.

⁵ Appointed full member on 1 September 2019.

⁶ Appointed on 1 September 2019.

⁷ Left this position on 1 December 2019.

⁸ Appointed on 1 December 2019.

⁹ Appointed full member on 1 September 2019.

Finances

For work done in the context of the Code of Conduct, the chairperson, members and deputy members receive vacancy fees at the end of each quarter. To this end, in consultation with the Ministry of Education, Culture and Science, vacancy fee regulations have been drawn up which can be found on the Code of Conduct website. The amount paid out per quarter is shown in the table below. The Committee has met eight times in the past year. A delegation from Nuffic was invited to take part in the February meeting and in June 2019 a meeting was held with the members, deputy members and a delegation from the umbrella organizations.

In addition, a delegation from the Committee held meetings and/or introductory meetings with DUO, the Ministry of Education, Culture and Science, NRTO, NVAO, Tilburg University, the Association of Universities of Applied Sciences and VSNU. An exploratory visit was also made to Eindhoven University of Technology.

The difference with the vacancy fees paid in the previous year is explained by the number of meetings held in 2019. Eight meetings were held in 2019, and only six in 2018. The reason for this was that three official complaints were handled in 2019, which the Committee needed time to deal with. In addition, various political discussions and developments concerning internationalization in higher education demanded the attention of the Committee. These related primarily to the Language and Accessibility Bill and the Interdepartmental Policy Study on Internationalization.

Vacancy fees, including travel costs and VAT for 2019 compared with 2018

Period	2019	2018
1st quarter	€6,837.84	€6,104.44
2nd quarter	€13,578.88	€6,509.05
3rd quarter	€2,437.84	€5,293.63
4th quarter	€6,320.69	€5,409.51
Total	€29,175.25	€23,316.63



Outlook for 2020

Survey of preparatory years

In 2019 the Committee launched its survey of the preparatory year. It is expected to publish the results in the first quarter of 2020. The survey focuses on the services offered by the private providers Study Group, Navitas and OnCampus, and the educational institutions that make use of these services: The Hague University of Applied Sciences, the University of Twente, the University of Amsterdam, Amsterdam University of Applied Sciences, Erasmus University Rotterdam, Tilburg University, Hanze University of Applied Sciences and VU Amsterdam.

The study was prompted by, among other things, parliamentary questions regarding the preparatory year and reports from Wittenborg University of Applied Sciences on this subject regarding international students (from outside the EU) who had come to the Netherlands to follow a preparatory programme at a university or university of applied sciences before being admitted to an accredited course. The admission of international students into the Netherlands is, in part, a matter of immigration law. The Code of Conduct stipulates that institutions can offer the international student a preparatory year or a shorter programme that is provided by or falls under the responsibility of the relevant educational institution.

The purpose of the Committee's investigation is to gain more insight into the range of services provided, recruitment and admissions, and the relationships between the educational institutions concerned and the provider of the preparatory year programme from the perspective of the Code of Conduct. The Committee investigated how students are recruited and admitted, and which organization (the provider or the contracting educational institution) is responsible for what. The board of the institution is responsible for assessing whether or not an international student can be admitted to the programme. As stated by the minister in the answer to the parliamentary questions on this subject: *If a preparatory programme is contracted by an educational institution, that institution is itself also responsible for this. If the programme is provided outside the university, it is provided on the free market. In both cases, I would assume that if the quality is inadequate or the fees are too high, these services will no longer be purchased. The institution remains responsible for the admission of students at all times, even if they have been recruited by a third party. This is in accordance with the Code of Conduct for International Students in Higher Education. The admission of (international) students is primarily the responsibility of the institutions.*

Research on students below the age of 18

In the year to come, the Committee is planning research into international students below the age of 18 years who take part in a programme of study in higher education in the Netherlands. The Committee has received reports that the number of international students under the age of 18 is rising. Although this is not necessarily problematic in itself, it does raise questions regarding the admission of these students. In addition, this is a particularly vulnerable group. These students are very young and (usually) have no social safety net to fall back on if they need to. This raises questions regarding the duty of care for this group. What arrangements do institutions make for these students? How do institutions approach the matter of accommodation, for example? Is the duty of care of the institutions made sufficiently clear in the Code of Conduct? The purpose of the research will be to find out more about international students aged under 18, based on the Committee's duty of care for international students and to seek to identify which issues can affect these students, for example when it comes to opening a bank account or signing a rental agreement. The survey will be exploratory in nature, rather than focusing on compliance. The survey will also be interesting in the context of student welfare, since this is a young and vulnerable group of students.

Review and evaluation of the Code of Conduct

In the coming year, the Committee will begin its periodic evaluation of the Code of Conduct. The Regulations state that the text and functioning of the Code of Conduct are to be reviewed once every five years. The last review was completed in 2016. This means that the review has been brought forward by one year. The Committee has a number of reasons for this. Firstly, the umbrella organizations and the Secretariat of the Committee have received a number of requests from organizations that offer language tests to add their language test to the language overview, which is currently included under Article 4.2 of the Code of Conduct. Any addition or amendment to the overview require a change to the text of the Code of Conduct. In addition, the provisions of Article 5.2 of the Code of Conduct, the accreditation requirement, may also require amendment. This is the result of an amendment to the Higher Education and Research Act on the granting of foreign degrees. The final reason is that, following the seminar that took place in October 2018, the Committee wishes to clarify the mitigating reasons set out in Article 5.5 of the Code of Conduct. These three points will require amendments to the text of the Code of Conduct in the near future. It would seem sensible to combine this with the review and evaluation, so that the text of the Code of Conduct will not need to be amended twice within a short period of time. In the first quarter of 2020, the Executive Boards of the educational institutions and all interested parties will be sent a letter regarding the procedure for the evaluation of the Code of Conduct. The letter will also be sent to the contact persons known to the Secretariat of the Committee. The reason for this is that the Committee wishes to give the (employees) of educational institutions and interested parties the opportunity to make their preferences known regarding the evaluation. If you would like to contribute your suggestions, but you have not received the letter, please send an email to info@internationalstudy.nl.



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